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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 282nd meeting
Held at Headquarters, New York, on Friday, 19 November 2004, at 10.30 a.m.

Chairman: Mr. Badji ..... (Senegal)

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The meeting was called to order at 10.45 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

Tribute to the memory of His Excellency Mr. Yasser Arafat, late President of the Palestinian Authority

2. **The Chairman** said that the Committee had been deeply saddened by the passing of Yasser Arafat, late Chairman of the Executive Committee of the Palestine Liberation Organization and President of the Palestinian Authority. For decades, President Arafat had been a powerful symbol of the Palestinian people's national aspiration, of unity, steadfastness and courage. He had devoted most of his life to the struggle against the Israeli occupation of Palestinian land and the dream of his people to realize their inalienable rights. He had embarked on the journey to achieve what he had called the "peace of the brave", realizing the goal of establishing the State of Palestine, living side by side with Israel — the goal that would also bring peace, security and stability in the region. Sadly, he had not lived to see the culmination of his life's struggle. But by the inspiration of his leadership, the singleness of purpose of his life and the vision he had nurtured for his people, his work would continue. The Palestinian people with the help of the international community would carry on their efforts to achieve their inalienable rights in their own sovereign State, with a brighter tomorrow for future generations.

3. He invited everyone present to rise and observe a minute of silence in memory of the late President Arafat.

4. *The Committee observed a minute of silence.*

5. **The Chairman** drew attention to a statement on the passing of President Arafat which had been issued by the Bureau of the Committee as a press release on 11 November (GA/PAL/970).

6. **Mr. Diarra** (Mali) said that his delegation associated itself with the tribute to the memory of President Yasser Arafat. The Committee must pursue its work on behalf of the Palestinian people. His delegation was committed to that cause and would contribute to the work of the Committee in every way possible to help it fulfil its purpose.

7. **The Chairman** said that in continuing the legacy of President Arafat the Committee must redouble its efforts until such time as the Palestinian people achieved a comprehensive, just and lasting settlement of the question of Palestine. That would be its best tribute to the memory of President Arafat.

8. Summarizing the work of the Committee since the last meeting, on 6 October 2004, he said that on 20 October, the Bureau had held a meeting with the delegation of the Inter-Parliamentary Union (IPU) led by its President, Senator Sergio Páez from Chile. It had been a most constructive meeting where views had been exchanged on the role and contribution of national parliaments and inter-parliamentary organizations in shaping public opinion and formulating policy guidelines. Mr. Páez had pledged the continued commitment of IPU to address the question of Palestine, including its active participation at regional meetings of the Committee. He had informed the Bureau that IPU had obtained observer status in the General Assembly and had expressed confidence that that would enhance the contribution of the Union to the political discussion at the United Nations.

9. On 11 November, the General Assembly had held a special meeting of tribute to the late President Yasser Arafat. Statements had been made by the Secretary-General, representatives of all the regional groups, representatives from the Movement of Non-Aligned Countries and the Organization of the Islamic Conference. He had made a statement on behalf of the Committee.

10. On 15 November, the United Nations Special Coordinator for the Middle East Peace Process, Terje Roed-Larsen, had briefed the Security Council on the situation in the Middle East, including the Palestinian question, announcing that it would be his last briefing in his capacity as Special Coordinator. Mr. Larsen's statement was available in a United Nations press release (SC/8244).

11. He also informed members that the Committee report had been issued.

Developments in the Middle East peace process and the situation in the Occupied Palestinian Territory, including East Jerusalem

12. **Ms. Barghouti** (Observer for Palestine) said that the present meeting was taking place at a time of

sorrow and transition as the Palestinian people and their leadership mourned the death of President Yasser Arafat. President Arafat had been recognized worldwide as a symbol of the just cause of the Palestinian people and their dream for peace and freedom. His passing was a great loss for the Palestinian people. It was deeply tragic that the cause to which he had dedicated his life remained unfulfilled at the time of his passing, and his people continued to suffer from the denial of their right to self-determination, owing to Israel's ongoing occupation and oppression of the Palestinian people.

13. The Palestinian people were going through a very difficult phase in their national struggle. Despite the difficulties, the transfer of power had been proceeding smoothly. The main goal now was to conduct free, fair and democratic elections to ensure legitimacy and support for the executive and legislative institutions. In accordance with the Palestinian Constitution, elections should be held within 60 days, which would mean by 9 January 2005. In that regard, the Permanent Observer Mission of Palestine requested the international community, including the Committee, to extend support and assistance to the Palestinian people in order to ensure the success of that important endeavour.

14. Work must continue towards a return to negotiations to bring an end to the prolonged conflict and to achieve a final peace settlement. The road map remained the only viable initiative towards that end. The Palestinian leadership had always supported the road map and worked for its implementation, yet regrettably the occupying Power continued to undermine any efforts to implement the road map and even took measures directly intended to undermine it. In that context, she urged the international community to take the necessary measures to compel Israel to cease its violations and grave breaches of international law against the Palestinian people. The daily death and destruction that continued to be wrought by the occupying Power in the Occupied Palestinian Territory, including East Jerusalem, must be brought to an end. That was a prerequisite for real change and progress to occur at all levels. Israel must be compelled to adhere to its legal obligations under international law, and the international community, including the Quartet, must exert more concrete efforts to bring the parties back to negotiations and to facilitate the implementation of the road map. It was imperative that the international community, particularly the United Nations, should play an active role in bringing an end to the occupation and achieving the two-State solution, based on the pre-1967 borders.

15. On behalf of the delegation of Palestine, she expressed deep appreciation and gratitude for the heartfelt condolences and kind words expressed to the Palestinian people and their leadership upon the passing of President Arafat.

16. **Mr. Hachani** (Tunisia) said that his delegation associated itself with the statement made by the observer for Palestine. The Committee must take note of the statement made by the observer for Palestine and reaffirm the need for the international community to become more deeply involved in providing assistance to the Palestinian people, not only to overcome existing obstacles but also to assist them in preparations for elections.

Consideration of the draft resolutions on the question of Palestine

17. **Mr. Assaf** (Lebanon) said that his delegation also extended its condolences to the Palestinian people on the passing of their leader Yasser Arafat. Turning to the draft resolutions on agenda item 37, he said that there were problems with the Arabic versions of all four draft resolutions, which should be revised before they were issued in their final form. Entire paragraphs were missing, as well as individual words.

18. **The Chairman** said that the Secretariat had taken note of the observations made by the representative of Lebanon and would correct the errors in the Arabic texts. He invited members to consider the draft resolutions. The texts had been discussed and approved by the Bureau, which recommended them for approval by the Committee. The drafts had been updated to reflect the recent developments on the ground and in the peace process, and a number of substantive, as well as editorial and technical changes had been made.

19. The first two draft resolutions dealt with the work of the Committee and the work of the Division for Palestinian Rights of the Secretariat. In the draft on the work of the Committee, the fifth preambular paragraph had been slightly shortened and brought up to date. There were two new preambular paragraphs in the draft resolution. A new preambular paragraph, which now became the second preambular paragraph, had been added by making a reference to General Assembly

resolution 58/292, adopted on 6 May 2004, on the Status of the Occupied Palestinian Territory, including East Jerusalem. The other new preambular paragraph, which was now the sixth preambular paragraph, read:

> "*Recalling* the Advisory Opinion rendered on 9 July 2004 by the International Court of Justice on the '*Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*', and recalling in this regard resolution ES-10/15 of 20 July 2004,".

20. In the draft resolution on the Division for Palestinian Rights of the Secretariat, a phrase had been added to operative paragraph 6, which would now read:

> "6. *Requests* the Committee and the Division, as part of the observance of the International Day of Solidarity with the Palestinian People on 29 November, to continue to organize an annual exhibit on Palestinian rights or a cultural event in cooperation with the Permanent Observer Mission of Palestine to the United Nations, and encourages Member States to continue to give the widest support and publicity to the observance of the Day.".

21. In the preambular part of the draft resolution entitled "Special information programme on the question of Palestine of the Department of Public Information of the Secretariat", a new paragraph had been added, which now became the seventh preambular paragraph. It read:

> "*Taking note* of the Advisory Opinion rendered on 9 July 2004 by the International Court of Justice on the '*Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory,*'".

There was also a change in operative paragraph 3 (d), which now read:

> "(d) To organize and promote fact-finding news missions for journalists to the area, including the Occupied Palestinian Territory, including East Jerusalem.".

22. **Mr. Rowe** (Sierra Leone), referring to the draft resolution on the Division for Palestinian Rights of the Secretariat, said that operative paragraph 2 should be strengthened by specifying what contribution was expected of the Division. The present text read: "Considers that the Division for Palestinian Rights of the Secretariat continues to make a useful and constructive contribution". Some wording should be found to indicate specifically what that contribution was, based on the functions of the Division.

23. **Mr. Mekdad** (Syrian Arab Republic) said that his delegation wished to join others in expressing sincere condolences on the passing of Mr. Arafat. His delegation strongly supported the Bureau's changes to the draft resolutions, particularly to the paragraphs concerning the advisory opinion of the International Court of Justice. His delegation hoped that the draft resolutions would be supported by a large majority of Member States in the General Assembly.

24. **The Chairman** said that the Committee would take note of the observations made by the representative of Sierra Leone. He invited the Sierra Leone delegation to propose the wording to clarify the functions of the Division for the Rights of the Palestinian People, which were, essentially, to provide the secretariat for and facilitate the work of the Committee.

Draft resolution entitled "Committee on the Exercise of the Inalienable Rights of the Palestinian People"

25. **The Chairman** said that, if he heard no objection, he would take it that the Committee decided to approve the draft resolution.

26. *It was so decided.*

Draft resolution entitled "Division for Palestinian Rights of the Secretariat"

27. **The Chairman** said that, if he heard no objection, he would take it that the Committee decided to approve the draft resolution, bearing in mind the observations made by the delegation of Sierra Leone.

28. *It was so decided.*

Draft resolution entitled "Special information programme on the question of Palestine of the Department of Public Information of the Secretariat"

29. **The Chairman** said that, if he heard no objection, he would take it that the Committee decided to approve the draft resolution.

30. *It was so decided.*

Draft resolution entitled "Peaceful settlement of the question of Palestine"

31. **The Chairman** said that, if he heard no objection, he would take it that the Committee decided to approve the draft resolution.

32. *It was so decided.*

33. **The Chairman** informed the Committee that negotiations on the draft resolution entitled "Peaceful settlement of the question of Palestine" were continuing between the Committee and other parties concerned. Members would be informed when the negotiations had concluded. The draft resolution would be submitted to the General Assembly, at which time all delegations would have an opportunity to propose amendments and make comments. He strongly urged all Committee members and observers to participate actively in the General Assembly plenary debate on agenda item 37, Question of Palestine, starting on 29 November. Delegations that wished to become sponsors of the four draft resolutions were invited to sign the texts after the present meeting was adjourned or to contact the Secretariat as soon as possible.

Other matters

34. **The Chairman** announced that the International Day of Solidarity with the Palestinian People would take place on Monday, 29 November. In view of the special importance attached to the annual event, he requested all members and observer delegations to be represented at the ambassadorial level.

The meeting rose at 11.35 a.m.